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7 WENDELL COLEMAN,  
8 Plaintiff,  
9 v.  
10 LT. FERNANDEZ, et al.,  
11 Defendants.

Case No. [21-cv-00539-SI](#) (pr)

**ORDER GRANTING PLAINTIFF'S  
REQUEST FOR A FOURTH  
EXTENSION OF TIME TO RESPOND  
TO ORDER TO SHOW CAUSE**

Re: Dkt. No. 19

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13 On February 11, 2021, plaintiff was ordered to show cause within thirty days why this action  
14 should not be dismissed under 28 U.S.C. § 1915(g). Docket No. 5. The order identified three prior  
15 dismissals that appeared to count under § 1915(g), stated that plaintiff did not appear to be under  
16 imminent danger of serious physical injury when he filed the complaint, and ordered plaintiff to  
17 show cause why pauper status should not be denied and the action should not be dismissed. *Id.* at  
18 1-2. The order further stated that plaintiff also could avoid dismissal by paying the filing fee by the  
19 deadline. *Id.* at 3.

20 The court has reset the deadline three times for plaintiff to respond to the February 11, 2021  
21 order to show cause. Docket Nos. 9, 14, 16. The deadline, October 1, 2021, has passed. To date,  
22 plaintiff has not filed his response. Instead, he requests a fourth extension of the deadline to file his  
23 response. Upon due consideration, plaintiff's request is GRANTED. Docket No. 19. No later than  
24 **November 10, 2021**, plaintiff must file a written response to the February 11, 2021 order to show  
25 cause re. contemplated dismissal. If plaintiff fails to file a response by the November 10, 2021  
26 deadline or fails to file a proper response addressing the § 1915(g) issue and showing cause why  
27 this action should not be dismissed, then the court will deny plaintiff's *in forma pauperis* application  
28 and dismiss this action under § 1915(g). Again, dismissal under § 1915(g) means that a prisoner

1 cannot proceed with his action as a pauper under § 1915(g), but he still may pursue his claims if he  
2 pays the full filing fee at the outset of the action. Thus, in the alternative to showing cause why the  
3 action should not be dismissed, plaintiff may avoid dismissal by paying the full \$402.00 filing fee  
4 by the same deadline.

5 **IT IS SO ORDERED.**

6 Dated: October 12, 2021



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8 SUSAN ILLSTON  
United States District Judge  
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